

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

DONALD HUBAND,

Petitioner,

v.

CV 12-805 WJ/WPL

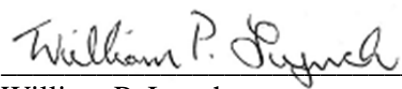
TIMOTHY HATCH, Warden, and  
GARY KING, New Mexico Attorney General,

Respondents.

**ORDER DENYING MOTION FOR WITHDRAWAL OF COUNSEL**

Counsel for Plaintiff has filed an unopposed motion to withdraw as counsel in this matter. (Doc. 39.) The motion does not indicate that Plaintiff has consented to this withdrawal. Nor does the motion include either notice of the appointment of substitute counsel for Plaintiff or a statement that the Plaintiff intends to appear *pro se*. *See* D.N.M.LR-Civ. 83.8(a). Further, it does not appear that counsel has served on Plaintiff a copy of the motion to withdraw, and the motion does not contain the information required by Local Rule 83.8(b). Therefore, the motion is DENIED.

IT IS SO ORDERED.



William P. Lynch  
United States Magistrate Judge

A true copy of this order was served on the date of entry--via mail or electronic means--to counsel of record and any *pro se* party as they are shown on the Court's docket.